

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Medical Education – Suspension of Medical Registration of Dr. Roya Rozati and Dr. Salman Saifuddin by A.P.Medical Council – Appeal petition filed before Appellate Authority – Appeal Petition allowed – Orders – Issued.

HEALTH, MEDICAL AND FAMILY WELFARE (E2) DEPARTMENT

G.O.Rt.No. 895

Dated: 15 -7-2009
Read the following:-

1. From the Registrar, A.P.Medical Council, Lr. No. APMC/ DC/015/Case No. 16/2007, dt.19.01.2009.
2. Appeal petition of Dr. Roya Rozati, M.D. FRCOG, Prof. & HOD (OBst & Gynec), MHRT Hospital, Hyd. dt. 12-3-2009.
3. Appeal petition of Dr. Salman Saifuddin, Anesthetist, dated 16.3.2009.
4. Govt. Letter No.4593/E2/2009-1, dated 13.3.2009.
5. Govt. Letter No.4593/E2/2009-2, dated 26.3.2009.
6. From the Registrar, A.P.Medical Council, Lr. No. APMC/ DC/015/Case No. 16/2007, dt.17.03.2009

O R D E R:-

In the letter 6th read above, the Registrar, A.P.State Medical Council, Hyderabad has stated that Sri Mirza Moib Baig made a complaint against Dr. Roya Rozati, Gynecologist and Dr. Salman Saifuddin, Anesthetist, alleging both the doctors acted carelessly and negligently in discharging their duties resulting in untimely death of his wife Mrs. Nikhat Fatima at her age of 22 years who was admitted for delivery. He has further stated that the above matter was referred to General Body of A.P.M.C. The General Body of A.P.M.C. has decided to suspend Dr. Roya Rozati and Dr. Salman Saifuddin for a period of three months and directed the Secretary/ Registrar to remove their names from the Medical Register as per the provisions of Section 17 (2) read with Section 15(4) of A.P.Medical Practitioners Registration Act, 1968 and also to direct both the doctors to surrender their original Registration Certificates to the Council forthwith. Accordingly, suspension orders were issued vide their letter 1st read above.

2. Aggrieved by the action of the Registrar, A.P.Medical Council, Dr. Roya Rozati, Gynecologist and Dr. Salman Saifuddin, Anesthetist, both doctors have filed an appeal under Section 25 of A.P.Medical Practitioners Registration Act 1968 against the orders of A.P.Medical Council in their ref.no.APMC/DC/015/Case No.16/2007, dt.19.1.2009. The appellants have prayed the Hon'ble Appellate Authority to rescue by staying the operation of the above orders, otherwise their professional careers and livelihood will be placed in jeopardy and the same will cause irreparable damaged to them.

3. The Registrar, A.P.Medical Council was requested not to operationalise the orders passed by the A.P.Medical Council vide their Letter No. APMC/DC/015/Case.No.16/2007, dated 19.1.2009, till the appeals are fully disposed off.

P.T.O.

4. The Appellate Authority heard the appeal of Dr. Roya Rozati, Gynecologist and Dr. Salman Saifuddin, Anesthetist on 15.4.2009 during which the two appellants, the Registrar, A.P. Medical Council and subject experts from OMC/OGH, Hyderabad were present. Both the doctors involved in the case explained the sequence of events with reference to the case record maintained by them. In order to get an independent opinion, a copy of the case record was given to expert doctors viz., Dr. G. Shailaja, Principal, Osmania Medical College, (Gynecologist) and Dr. G. Raghuram, Professor, Anesthesia. OMC who were also present on the date of hearing on 15-4-2009. They were requested to examine the entire record and give their independent opinion. Both the Doctors, who gave their joint report on 29-4-2009, were of the opinion that the patient died due to Amniotic Fluid Embolism (AFE) and not due to negligence of the doctors.

5. Considering the circumstances of the case, the Appellate Authority found that the doctors have adopted the standard protocols in the treatment of the patient and did not display any negligence in the treatment and the death has occurred out of Amniotic Fluid Embolism (AFE) which is a rare occurrence in such cases. The reasons relied upon by the General Body of the A.P. Medical Council before imposing the punishment of suspension of two doctors are found to be incorrect. Accordingly Government hereby allow the appeals of Dr. Roya rozati and Dr. Salman Saifuddin and the suspension orders issued in the letter 1st read above, by the A.P. Medical Council, dt. 19.1.2009, are set aside.

5. The Registrar, A.P. Medical Council, Hyderabad shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J. SATYANARAYANA
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Registrar, A.P. Medical Council,
Sultan Bazar, Koti, Hyderabad.

Dr. Roya Rozati, MD, F.R.C.O.G.
Professor and HOD, Dept. of OBS & Gynaecology,
MHRT Hospital, H.No.8-2-120/86/IA,
Road No.3, Banjara Hills, Hyderabad – 500 003.

Dr. Salman Saifuddin
Anesthetist, R/o 6-3-903/A/A,
Beside Yashoda Hospital Lane,
Somajiguda, Hyderabad 500 082.

Copy to:

The Director of Medical Education, Hyderabad.

The P.S. to Minister (ME)

P.S. to Prl.Secy. HM&FW Dept.

Sf./Sc.

// FORWARDED :: BY ORDER //

SECTION OFFICER